



# Town of Groton, Connecticut

## Meeting Minutes

### Town Council Committee of the Whole

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk 860-441-6640  
Town Manager  
860-441-6630

**Mayor Heather Bond Somers, Councilors Dean G. Antipas, Bruce S. Flax, Bill Johnson, Karen F. Morton, Deborah L. Peruzzotti, Rita M. Schmidt, James L. Streeter, and Harry A. Watson**

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**Tuesday, April 23, 2013**

**6:00 PM**

**Town Hall Annex - Community Room 1**

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**REGULAR MEETING**

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**1. CALL TO ORDER**

*Mayor Somers called the meeting to order at 6:05 p.m.*

**2. ROLL CALL**

Members Present: Mayor Somers, Councilor Antipas, Councilor Flax, Councilor Morton, Councilor Schmidt, Councilor Streeter and Councilor Watson

Members Absent: Councilor Johnson and Councilor Peruzzotti

**3. Calendar and Communications**

*None.*

**4. Approval of Minutes**

**2013-0121**

**Approval of Minutes (Committee of the Whole)**

**RESOLUTION ACCEPTING COMMITTEE OF THE WHOLE MINUTES**

RESOLVED, that the minutes of the Town Council Committee of the Whole meeting of March 26, 2013 are hereby accepted and approved.

**A motion was made by Councilor Morton, seconded by Councilor Schmidt, to adopt.**

**Councilor Antipas asked that his reason for voting against the motion on 2012-0228 Noank Fire District Response on Noank School Reuse be included in the minutes.**

**The motion carried unanimously**

**5. UNFINISHED BUSINESS**

*None.*

**6. NEW BUSINESS**

*Councilor Johnson arrived at 6:10 p.m.*

Members Present: Mayor Somers, Councilor Antipas, Councilor Flax, Councilor Johnson, Councilor Morton, Councilor Schmidt, Councilor Streeter and Councilor Watson

Members Absent: Councilor Peruzzotti

**2013-0014**

**Pfizer Update**

**A motion was made by Councilor Schmidt, seconded by Councilor Watson, that the Town Council, along with Town Manager Mark Oefinger, Director of Administrative Services Doug Ackerman, and Town Attorney Eileen Duggan go into executive session at 6:10 p.m. pursuant to General Statutes 1-200 (6) (B) to discuss consideration of action to enforce and/or implement any legal relief or legal right related to the anticipated demolition of a structure.**

**The motion carried unanimously**

**Discussed**

*The executive session concluded at 6:45 p.m.*

**2013-0125**

**City of Groton FYE 2014 Highway Budget - Request for Mediation**

with Town Manager Mark Oefinger, Director of Administrative Services Doug Ackerman, and Town Attorney Eileen Duggan go into executive session at 6:46 p.m. pursuant to General Statutes 1-200 (6) (B) to discuss strategy and/or negotiations related to a pending claim concerning budget appropriations for FY 2013-2014.

The motion carried unanimously

Discussed

*The executive session concluded at 7:35 p.m.*

2013-0126

**Plan for Former Noank School and Property**

**Recommended for a Resolution**

*Town Manager Mark Oefinger explained that the FYE 2014 to FYE 2019 CIP includes a project for demolition of the Noank School in FYE 2017. When the Council voted not to pursue the Noank Fire District's proposal for the property, it was re-referred to the Committee of the Whole. The costs associated with demolition of the building and removal of the underground oil tank have been updated by Public Works. If the Council chooses to include the costs in the FYE 2014 capital budget it will not impact the General Fund. The project would be funded using Capital Reserve funds.*

A motion was made by Mayor Somers, seconded by Councilor Morton, to demolish the Noank School in FYE 2014.

Councilor Flax asked how the cost would be affected if the gymnasium were to be salvaged. The Town Manager suggested that the Council take no action tonight if the Council wants to consider keeping a portion of the building so that additional costs can be identified. Councilors shared their individual thoughts.

The motion carried by the following vote:

**Votes:** In Favor: 5 - Mayor Somers, Councilor Morton, Councilor Schmidt, Councilor Streeter and Councilor Watson

Opposed: 3 - Councilor Antipas, Councilor Flax and Councilor Johnson

A motion was made by Councilor Watson, seconded by Mayor Somers, to modify CIP project 6)G) Vacated School Properties to move the demolition of Noank School and the removal of the underground fuel tank to FYE 2014 in the amount of \$370,000.

The motion carried by the following vote:

**Votes:** In Favor: 6 - Mayor Somers, Councilor Antipas, Councilor Morton, Councilor Schmidt, Councilor Streeter and Councilor Watson

Opposed: 2 - Councilor Flax and Councilor Johnson

2013-0119

**FYE 2013 Fourth Quarter Transfers**

Discussed

*Sal Pandolfo, Director of Finance, described a request for a fourth quarter transfer in the amount of \$92,000 from Contingency to Legal Services.*

A motion was made by Councilor Watson, seconded by Councilor Streeter, that this matter be Recommended for a Resolution.

The motion carried unanimously

2013-0114

**Resolution Approving Budgets for FYE 2014**

Discussed

*Sal Pandolfo, Director of Finance explained that this referral and the next three are to approve the budgets and set the tentative mill rates. The Town Council's budget review actions reduced the Town Manager's proposed budget by \$1.8 million. This will result in an increase of 0.57 mills from 20.22 mills to 20.79 mills (a 2.7% increase). Following the Council's action the budget goes to the RTM for approval. After RTM action, the Council will set the final mill rates.*

A motion was made by Councilor Watson, seconded by Councilor Flax, that this matter be Recommended for a Resolution.

The motion carried unanimously

**2013-0115      Computation of Tax Rate for General Fund (FYE 2014)**

A motion was made by Councilor Antipas, seconded by Councilor Schmidt, that this matter be Recommended for a Resolution.

The motion carried unanimously

**2013-0116      Computation of Tax Rate for Mumford Cove (FYE 2014)**

A motion was made by Councilor Morton, seconded by Councilor Schmidt, that this matter be Recommended for a Resolution.

The motion carried unanimously

**2013-0117      Computation of Tax Rate for Groton Sewer District (FYE 2014)**

A motion was made by Councilor Streeter, seconded by Councilor Schmidt, that this matter be Recommended for a Resolution.

The motion carried unanimously

*The Committee of the Whole meeting recessed at 8:04 p.m. for a special meeting of the Town Council. The meeting reconvened at 8:18 p.m.*

**2012-0220      Review of Ordinance No. 135 - Consumption of Alcohol at Town Sponsored Events**

**Discussed and Recommended no action taken**

*Police Chief Michael Crowley, Town Attorney Eileen Duggan, and Parks and Recreation Director Mark Berry were present. Ms. Duggan explained that there are two ordinances that guide enforcement action: Town Ordinance 4.2 prohibits alcohol at Town-sponsored events and Ordinance 4.3 prohibits open containers of alcohol in public spaces such as parking lots. Chief Crowley explained that the Esker Point beach concerts started as much smaller events, but they have morphed over the years into much larger events. There has been an increase in people coming in to the concerts with alcohol to the point where there used to be three officers at the event and now there are seven. Some of the officers' time is billed to Parks and Recreation. Chief Crowley described an increase in minor disturbances, open intoxication, and narcotics issues. He noted that this represents a liability and risk management issue. In order for the park to be family-friendly, the Town must enforce the ordinance on the books. During the first year, officers focused on providing information and educating people coming into the event. People were compliant and discarded their open containers. No arrests were made.*

*Councilor Flax noted that there is still alcohol consumption going on at the concerts. Chief Crowley explained that he does not have the manpower to check what is in everyone's cup. However, the ordinance addresses open containers of alcohol and that's what the police are focused on. Large crowds and large volumes of alcohol lead to problems. The Chief and Town Attorney Duggan agreed that no alcohol should be consumed at the Esker Point Beach concerts. Councilor Antipas questioned how the ordinances apply to private functions at Sutton Park for example. Chief Crowley noted those instances would be covered by Parks and Recreation policies. Councilor Johnson noted there is an issue of liability and he feels that the ordinance must be enforced. Councilor Streeter agreed.*

*The consensus of the Council was to enforce the ordinances as written and to take no further action on this referral.*

**2013-0103      Lighting at Calvin Burrows Field**

**Recommended for a Resolution**

*Bill Kelly from Groton Little League was present along with Mark Berry, Director of Parks and Recreation. Mr. Kelly noted that the league plays in some facilities that are less than adequate and they would like to light the Calvin Burrows Field to extend playing time and allow more teams to use the field. The league is working with Parks and Recreation and Groton Utilities, and will*

*do fundraising to pay for the lights. Mr. Kelly is asking the Town to absorb the electric costs that would be borne once the lights are installed (about \$1,000 annually). Mr. Kelly stated that the league has not approached nearby homeowners yet, but the lights are directed and will only light the field. Mr. Kelly has approached the airport and FAA is not concerned. The project will have to go through the permitting process.*

*Town Manager Oefinger asked who will install the lights and Mr. Kelly stated professionals will install the fixtures and Groton Utilities will assist with the electrical connections. The Town Manager stated that the Town will have to be involved in the permitting process and make sure that property owners are protected. Mr. Kelly stated that he expects to have fairly accurate estimates of the cost to operate the lights.*

**A motion was made by Councilor Watson, seconded by Councilor Morton, to express support for the Calvin Burrows Field lighting project with the lighting operation costs to be paid by the Town.**

**Mr. Kelly noted that the lights are controlled completely through a web-based scheduler and the lighting company monitors the lights as part of their maintenance plan. Little League curfew rules would apply to use of the field.**

**The motion carried unanimously**

**2013-0098 Recreation Trails Grant - Tri-Town Trail**

**A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Recommended for a Resolution.**

*Councilor Antipas noted that Groton Utilities has objected to use of the watershed lands for a trail system. Mark Berry, Director of Parks and Recreation, noted that is the preferred option for the tri-town trail, but other alternates are being considered*

**The motion carried unanimously**

**2013-0113 Naming of Town-Owned Land Tract Thomas Road**

**A motion was made by Mayor Somers, seconded by Councilor Streeter, that this matter be Recommended for a Resolution.**

*Mark Berry, Director of Parks and Recreation, noted the one dissenting vote on the Parks and Recreation Commission was due to the length of the name. The Spicer family had hoped the area would be named as proposed*

**The motion carried unanimously**

**2013-0120 Cable Television Advisory Council of Southeastern Connecticut Grant**

**A motion was made by Councilor Antipas, seconded by Councilor Schmidt, that this matter be Recommended for a Resolution.**

**The motion carried unanimously**

**2013-0107 Cell Tower on Gary Court**

**Discussed**

*John Piacenza, Purchasing Agent, was approached by SBA Towers, one of two large players in the cell tower industry, with a proposed lease agreement for a parcel near the Water Pollution Control Facility on Gary Court. Mr. Piacenza negotiated a fee of \$1500 per month which is consistent with other tower rates. The Town will also receive 10% of revenues starting with the second co-location. The lease will have to be reviewed by the Town Attorney.*

*Town Manager Oefinger explained that the Town Council must conduct a public hearing on the proposed lease and make a CGS Section 8-24 referral to the Planning Commission.*

**A motion was made by Councilor Watson, seconded by Councilor Antipas, to schedule a public hearing in the near future on the lease of Town-owned property on Gary Court to SBA Towers for a cell tower and to refer the project to the Planning Commission under CGS Section 8-24.**

**The motion carried unanimously**

**2013-0124      Historic Documents Preservation Grant (2014)**

A motion was made by Councilor Streeter, seconded by Councilor Antipas, that this matter be  
**Recommended for a Resolution.**

**The motion carried unanimously**

**7.      Consideration of Committee Referral Items as per Town Council Referral List**

*None.*

**8.      OTHER BUSINESS**

*None.*

**9.      ADJOURNMENT**

*A motion was made by Councilor Watson, seconded by Councilor Schmidt, to adjourn the meeting  
at 9:05 p.m.*

*The motion carried unanimously.*